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July 24, 2006

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VIA HAND DELIVERY

The Honorable Charles L.A. Terreni
Chief Clerk/Administrator
Public Service Commission of South Carolina
101 Executive Center Drive
Columbia, South Carolina 29210

RE: Application of Carolina Water Service, Inc. for adjustment of rates and charges
for the provision of water and sewer service; Docket 2006-92-WS

Dear Mr. Terreni:

I am writing to you in your capacity of hearing officer in the above-captioned matter. The purpose of this letter is to respond to the July 17, 2006 letter of C. Dukes Scott, Executive Director of the Office of Regulatory Staff ("ORS"), submitting to the Commission a July 11, 2006 letter signed by three members of the Lexington County Legislative Delegation requesting that the merits hearing be rescheduled to commence on the evening of September 7, 2006. For the reasons stated below, Carolina Water Service, Inc. ("CWS") respectfully objects to this request.

Initially, I would note that the July 11 letter is not signed by or on behalf of any party of record. Accordingly, there is nothing properly before the Commission that it may act upon.¹

Further, and as acknowledged in the July 11 letter, there have already been three (3) public hearings noticed and held by the Commission in this docket in Lexington County during evening hours. As you know, the purpose of these three night hearings was to permit customers an opportunity to present their comments on the pending application without having to travel to the Commission's offices during customers' working hours. Thus, CWS's customers in Lexington County have had more than ample opportunity to make their views known to the Commission at a convenient time and place.

¹While CWS certainly appreciates the desire of legislators to address constituent concerns, action on the request in the July 11 letter by the Commission arguably implicate S.C. Const. art. I, §8.

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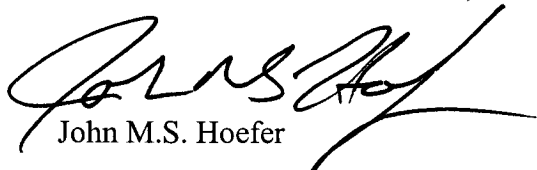
Moreover, because they are not intervenors in this case, customers cannot participate in the hearing as parties of record and thus cannot be inconvenienced if the hearing commences at the currently scheduled 10:30 a.m. time. Conversely, re-scheduling the hearing in the evening, after normal business hours will work an inconvenience to the parties of record. Because the Commission is required to conduct hearings in such a manner as to protect the rights of **parties** (see S.C. Code Ann. §58-3-225(A)), no basis is stated in the July 11 letter to conduct a hearing at a time which is inconvenient to the parties.

Additionally, I would note that the hearing in this matter is scheduled for two days. Assuming that the hearing were rescheduled to **commence** on the evening of September 7, customers unable to attend during day time hours would only be able to attend the portion of the hearing conducted at night on September 7. If the first part of the hearing is scheduled at night on the 7th, the Commission could be required to extend the hearing into a third day if it could not be completed on September 8. This would not serve administrative economy.

In conclusion, CWS respectfully requests that the Commission take no action in regard to this matter or, alternatively, deny the request contained in the July 11 letter for the reasons noted above. If you have any questions, or need additional information, please do not hesitate to contact me. With best regards, I am

Respectfully

WILLOUGHBY & HOEFER, P.A.



John M.S. Hoefer

JMSH/amw

cc: Shannon Bowyer Hudson, Esquire
C. Lessie Hammonds, Esquire